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## REMARKS

Claims 1-13 are pending in this application. The Office has rejected claims 1-3 under 35 USC § 102(b) as being anticipated by "Quick Profits with RFM Analysis" by Arthur Hughes (hereinafter referred to as Reference A). Claims 4 and 7-10 have been rejected under 35 USC § 103(a) as being unpatentable over Reference A. Claims 5 and 6 have been rejected under 35 USC § 103(a) as being unpatentable over Reference A in view of Powers *et al* (U.S. Patent #6,604,084B1, hereinafter referred to as Powers). Finally, claims 11-13 have been rejected under 35 USC § 103(a) as being unpatentable over Reference A in view of the Database Marketing Institute's RFM for Window® (hereinafter referred to as Reference B). This Office action is non-final and is responsive to Applicant's communication filed on February 14, 2001.

### Rejection of Claims 1 and 10-13 over Reference A

Reference A does not show or suggest "first sorting the plurality of records in order based on the assigned discretized attribute scores ..." as required by Applicant. Reference A does teach sorting records but the records are sorted by an attribute value and not by the assigned discretized attribute scores. These two sort operations are not equivalent because the operations are performed on different fields of the records and can easily produce different results. Additionally, Applicant's discretized attribute scores must be assigned prior to the sort operation since the discretized scores to used to sort the records. Reference A clearly teaches that the discretized attributes are assigned after the sort operation is complete. In fact, the assignment of a discretized attribute after the sort operation is taught three different times within Reference A. A person of ordinary skill in the art would find no motivation within Reference A to alter this teaching. Reference A simply does not show or suggest all the features of Applicant's claimed invention.

### 103(a) Rejection of Claims 5 and 6 over Reference A in View of Powers

As shown above, Reference A does not show or suggest "first sorting the plurality of records in order based on the assigned discretized attribute scores ..." as required by Applicant. This element is also missing from Powers. Neither of the references, taken

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either together or separately, shows or suggests all of the elements of Applicant's claimed invention. Applicant's claims are therefore allowable over these references.

### 103(a) Rejection of Claims 11-13 over Reference A in View of Reference B

As shown above, Reference A does not show or suggest "first sorting the plurality of records in order based on the assigned discretized attribute scores ..." as required by Applicant. This element is also missing from Reference B. Neither of the references, taken either together or separately, shows or suggests all of the elements of Applicant's claimed invention. Applicant's claims are therefore allowable over these references.

### Rejection of Dependent Claims

Dependent claims are allowable over the cited references for at least the same reasons as their corresponding independent claims.

CONCLUSION

Applicant's claims are allowable over the prior art made of record. Applicant asks the Office to reconsider this application and allow all claims. Please charge any fees that might be due, excluding the issue fee, or credit any overpayment to deposit account 14-0225.

Respectfully Submitted,

Date: April 11, 2005



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